

REMARKS

There are now pending in this application claims 1-8 and 11-21, of which claims 1, 20, and 21 are independent. Claims 20 and 21 are newly added. No claims have been cancelled.

Favorable consideration and early passage to issue of the above application are respectfully sought.

Applicants' invention as featured in independent claim 1 is directed to a punching device with a die member having a plurality of die holes formed therein together with a plurality of punch members which are adapted to advance into the die holes to punch holes in a sheet. There is an operating member having cam portions and which is moved along the direction intersecting the direction of advancement of the punch members to cause the punch members to advance into die holes by the cam portion and a control means is provided for controlling movement of the operating member wherein the control means performs an initializing operation for moving the operating member to a first rest position or to a second rest position before the control means performs a punching operation for punching holes in the sheet while moving the operating member between the first rest position and the second rest position.

As now further amended, independent claim 1 positively recites detection means for detecting the position of the operating member. The claim is characterized in that in the initializing operation, the operating member is moved to the first rest position when the detection means detects that the operating member is present in a position nearer to the second rest position than the first rest position, and the operating member is moved to the second rest position when

the detection means detects that the operating member is present in a position nearer to the first rest position than the second rest position.

Claims 1-8 and 11-19 were rejected under 35 U.S.C. § 102(e) as being anticipated by Fukumoto et al. In view of the above amendments, and the following remarks, the rejections are respectfully traversed.

As noted above, the invention as recited in claim 1 has been amended to more clearly recite the initializing operation in accordance with Applicants' invention. Fukumoto et al., however, does not teach or suggest anything about details of such an initializing operation. Thus, Fukumoto et al. does not disclose or suggest moving the operating member to the first rest position when the operating member is present in a position nearer to the second rest position than the first rest position. Nor does Fukumoto et al. teach or suggest moving the operating member to the second rest position when the operating member is present in a position where it is nearer to the first rest position than the second rest position.

For the foregoing reasons, it is respectfully submitted that Fukumoto et al. does not teach or suggest the invention as recited in claim 1.

Newly presented claims 20 and 21 recite and there are characterizing clauses even further detail regarding the initializing operation. As such, such features are also neither taught nor suggested by Fukumoto et al. It is respectfully submitted that newly presented independent claims 20 and 21 are patentably distinguishable over the applied art.

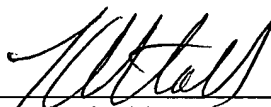
The remaining claims not heretofore discussed are dependent claims which depend either directly or indirectly from claim 1 and are therefore patentable over the art of record for reasons noted above with respect to claim 1. In addition, each recite features of the

invention still further distinguishing it from the applied art. Favorable and independent consideration thereof is respectfully sought.

Applicants respectfully submit that all outstanding matters in the above application have been addressed and that this application is in condition for allowance. Favorable reconsideration and early passage to issue of the above application are respectfully sought.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read 'L. Stahl', is written over a horizontal line.

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